

Exhibit C

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK:

-----X
NYH-CUMC DEPARTMENT OF SURGERY
Plaintiff,

-against-

CANDI LEVINE

Judgment Debtor,

and

MARK A LEVINE

Respondent,

and

TD BANK

Respondent-Garnishee,
-----X

Index No.

**NOTICE OF
PETITION**

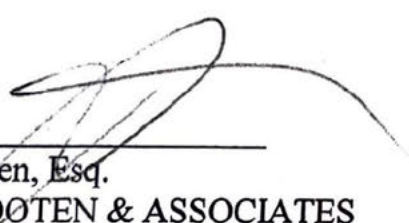
PLEASE TAKE NOTICE, that upon the annexed petition of Paul J. Hooten dated MARCH 02, 2023, the Information Subpoena with Restraining Notice served upon TD BANK on or about FEBRUARY 21, 2023, account ending in 6691, the response of Roxana Rodriguez, and upon all the proceedings had herein, the petitioner will move this Court at a Motion Term, PART 34 to be held at the courthouse located at 111 CENTRE STREET, NEW YORK, New York, on April 4, 2023, at 9:30 a.m., or as soon thereafter as counsel may be heard, for an order directing garnishee to turn over to Paul J. Hooten & Associates, as attorneys for petitioner, the sum of \$ 9,307.64, plus interest from DECEMBER 04, 2008, together with the costs and disbursements of this action, and for such other and further relief as this Court may deem just and proper.

Claim # 403597

Any answering and supporting affidavits, if any, are to be served at least one day before the return date of this notice, and if this petition is served upon you at least ten days before such time, demand is hereby made, that service of any answering and supporting affidavits, if any, be made at least five days before the return date of this petition.

DATED: MARCH 02, 2023
Mount Sinai, New York

Yours etc.,



Paul J. Hooten, Esq.
PAUL J. HOOTEN & ASSOCIATES
Attorney for Petitioner
5505 Nesconset Highway
Suite 203
Mount Sinai, NY 11766
(631) 331-0547

TO: CANDI LEVINE
411 EAST 57TH ST APT 12A
NEW YORK, NY 10022

MARK A. LEVINE
411 EAST 57TH ST APT 12A
NEW YORK, NY 10022

TD BANK
11100 ATRIUM WAY
MOUNT LAUREL, NJ 08054

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK:

Index No.

-----X
NYH-CUMC DEPARTMENT OF SURGERY
Plaintiff,

-against-

**AFFIRMATION IN
SUPPORT OF PETITION**

CANDI LEVINE

Judgment Debtor,

and

MARK A. LEVINE

Respondent,

and

TD BANK

Respondent-Garnishee,
-----X

Paul J. Hooten, an attorney duly admitted to practice law in the Courts of the State of New York, affirms the following under penalty of perjury.

1. Petitioner is designated as a Judgment Creditor in a Judgment entered in the CIVIL COURT OF THE CITY OF NEW YORK, COUNTY OF NEW YORK, and CANDI LEVINE is designated a Judgment Debtor therein. A true copy of the judgment previously entered in annexed hereto as Exhibit "A."
2. The judgment is in the amount of \$9,307.64 , plus interest from DECEMBER 04, 2008.
3. No payments have been made, leaving an outstanding balance of \$9,307.64, plus interest from DECEMBER 04, 2008.
4. Subsequent to entering the aforementioned judgement, the judgment debtor was served with a Notice to Judgment Debtor in the form prescribed by CPLR § 5222.

5. Pursuant to CPLR §§ 5222 and 5224, Respondent-Garnishee was served with an Information Subpoena with Restraining Notice on or about FEBRUARY 21, 2023. (See Exhibit "B").

6. Respondent-Garnishee responded that \$42,574.52 was being held in the form of a joint account, account number ending in 6691, belonging to MARK A. LEVINE and CANDI LEVINE. (See Exhibit "B").

7. The judgment debtor, respondent, respondent-garnishee and the property to be garnisheed are all located within the County of NEW YORK.

8. In accordance with New York Banking Law §675, all Joint Tenants are entitled to an equal share of all deposits.

9. Accordingly, petitioner requests that at least one-half the amount restrained but not exceeding the balance due on the judgment of \$9,307.64, plus interest from DECEMBER 04, 2008 along with costs and disbursements of this action be turned over to Petitioner as full/partial satisfaction of the aforementioned judgment.

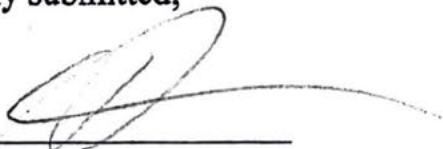
10. Pursuant to CPLR section 5225 affidavits of service upon the Respondent and Respondent-Garnishee are on file with this court. Affidavit of service upon the Judgment Debtor is attached to this petition.

11. No previous application for the relief herein requested has been made.

WHEREFORE, petitioner prays that an order be entered directing to pay over a sum equal to one-half the balance on deposit, up to a maximum of \$9,307.64 plus interest from DECEMBER 04, 2008, together with the costs and disbursements of this action, to Paul J. Hooten & Associates, attorneys for petitioner, in satisfaction of the judgment, and for such further relief as this Court deems just and proper.

DATED: MARCH 02, 2023
Mount Sinai, New York

Respectfully submitted,

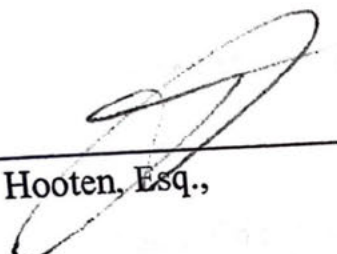


Paul J. Hooten, Esq.
PAUL J. HOOTEN & ASSOCIATES
Attorneys for Petitioner
5505 Nesconset Highway
Suite 203
Mount Sinai, NY 11766
(631) 331-0547

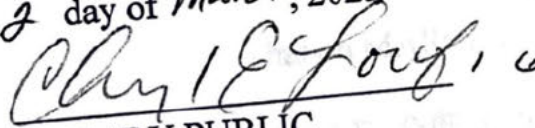
STATE OF NEW YORK, COUNTY OF SUFFOLK

ss.: The undersigned, an attorney admitted to practice in the Courts of New York State, states that I am the attorney of record for NYH-CUMC DEPARTMENT OF SURGERY, and have read the annexed notice of petition and petition, knows the contents thereof and the same are true to my knowledge, except those matters alleged on information and belief, and as to those matters I believe them to be true. The grounds of my belief as to all matters not stated upon my own knowledge are as follows: Documents and Records of the Plaintiff kept in the regular course of business.

DATED: MARCH 02, 2023


 Paul J. Hooten, Esq.,

Sworn to before me this
 2 day of March, 2023


 NOTARY PUBLIC

CHERYLE LOREFICE
 NOTARY PUBLIC, STATE OF NEW YORK
 No. 4999823
 Qualified in Suffolk County
 Commission Expires August 3rd 20 26

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK:

-----X-----
NYH-CUMC DEPARTMENT OF SURGERY

Plaintiff,

-against-

CANDI LEVINE

Judgment Debtor.

and

MARK A. LEVINE

Respondent,

and

TD BANK

Respondent-Garnishee,

-----X-----
STATE OF NEW YORK, COUNTY OF SUFFOLK SS:

The undersigned, being duly sworn, deposes and says:

1. Deponent is not a party to this action, is 18 years of age or older, and resides in the State of New York.
2. This affidavit is made in accordance with CPLR § 5222 (b) "Notice of this proceeding shall also be served upon the judgment debtor in the same manner as a summons or by registered or certified mail, return receipt requested."
2. That on MARCH 2, 2023, Deponent served the attached Petition for the Turnover of Funds upon CANDI LEVINE, Judgment Debtor, at 411 EAST 57TH ST APT 12A, NEW YORK, NY, 10022, by mailing a true copy of said petition by certified mail, return receipt requested, and depositing said wrapper in an official depository under the exclusive care and control of the United States Postal Service.

Sworn to Before me
on this 2 day of
MARCH, 2023

Cheryl E. Lorence

CHERYL E. LORENCE
NOTARY PUBLIC, STATE OF NEW YORK
No. 1999823
Qualified in Suffolk County
Commission Expires August 1, 2026

[Signature]

26

96059

TRANSCRIPT OF JUDGMENT

Index Number CV-056598-07/NY

JUDGMENT DEBTOR & ADDRESS		TRADE OR PROFESSION	JUDGMENT CREDITOR & ADDRESS	
(1) CANDI LEVINE 411 E 57 ST APT 12A, New York, NY 10022		Unknown	(1) NYH-CUMC DEPARTMENT OF SURGERY 575 LEXINGTON AVE STE 540, New York, NY 10022	
JUDGMENT DOCKETED	JUDGMENT RENDERED	AMOUNT		Attorney for Judgment Creditor Name & Address
Date	Date 12/04/2008	Damages	\$9,107.64	LERMAN, JEFFREY G. 170 OLD COUNTRY ROAD SUITE 600, Mineola, NY 11501
Hr. & Min.	County New York	Costs	\$160.00	
Index No.	Court New York County Civil Court	Other Fees	\$40.00	
	Hr. & Min. 02:23 PM	Total	\$9,307.64	
EXECUTION RETURNED UNSATISFIED	SATISFIED			
	WHEN	HOW & TO WHAT EXTENT		

State of New York
County of New York
New York County Civil Court

I, the undersigned judge/clerk of New York County Civil Court held at 111 Centre Street, New York, NY 10013, do hereby certify that the above is a correct transcription from the docket of the above judgment. I further certify that defendants, and/or debtors have been summoned, proof of which is filed with the above referenced court. In testimony whereof, I have hereunto set my name and affixed my official seal on this date: February 24, 2009

Jack Baer

Jack Baer, Chief Clerk Civil Court

COPY

403597

NYH-CUMC DEPT OF SURG vs. LEVINE
Index No.: 56598 NCU 2007
02-24-09 Transaction #: 417397
Fee: \$15.00 Paid
RC
Transcript of Judgment
H



TD Bank
America's Most Convenient Bank®
P.O. Box 1880
Cherry Hill, NJ 08034

tdbank.com

February 21, 2023

TD Bank, N.A.
Levy Department
P.O. Box 1880
Cherry Hill, NJ 08034

The Law Office of Paul Hooten & Associates
5505 Nesconset Hwy
Suite 203
Mt. Sinai, NY 11766

Re: NYH-CUMC DEPARTMENT OF SURGERY v. CANDI LEVINE
Index Number: 056598-07
TD Bank reference number: [REDACTED]

Dear Sir or Madam:

TD Bank, N.A., is in receipt of the Information Subpoena and Restraining Notice you served in connection with the above referenced matter. A search of our records indicates that TD Bank, N.A. maintains an account or accounts in the name of the debtor as set forth below. The balances shown reflect the funds available for the Restraining Notice pursuant to state and/or federal laws.

Account	Name	Amount
[REDACTED]	MARK A LEVINE, CANDI S LEVINE	\$42,574.52
Total	\$42,574.52	

Note that TD Bank, N.A. will not remit funds maintained in a joint account in satisfaction of a judgment when only one account holder is a debtor unless it is directed to do so either by a court order or upon instructions from all account holders. Please be advised that the information contained in this response is subject to change and further verification, pursuant to changes in state laws and/or legal or regulatory guidance.

TD Bank, N.A.

/S/ ROXANA RODRIGUEZ
By: Roxana Rodriguez,
Levy Associate

Sworn to before me
this 21st day of February 2023

Notary Public